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DEVELOPMENT DIVISION

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

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WIA BULLETIN NO. 06-11

TO: WIA Administrators/Local Workforce Investment Boards

SUBJECT: Approval of Waiver to exempt inclusion of credential attainment outcomes for on-the-job training in credential performance calculations

PURPOSE

This is to inform you of the approval of a waiver to exempt the state from including credential attainment outcomes in the credential attainment outcomes for participants enrolled in on-the-job training.

This waiver will be in effect from July 1, 2011 through June 30, 2012.

REFERENCES

- WIA of 1998, Section 136(b)(2)(A)
- WIA of 1998, Section 129
- WIA Final Rules, 20 CFR Sections 664.450 and 664.405
- WIA Bulletin No. 04-11 SN 136, July 6, 2011

BACKGROUND

The Workforce Development Council conferred with all four Local Workforce Investment Boards ("LWIBs") in February 2011, seeking comments or requests for waivers to file for 2011. One of the Waivers suggested was to obtain a waiver on the inclusion of credential attainment outcomes as part of a on-the-job training program initiated by a company for its employees. A goal of the waiver was to give the local workforce investment agencies greater flexibility and access to use of the OJT activity without having a negative impact on credential/certificate related to performance measures. The wavier was filed with the U.S. Department of Labor ("USDOL") on April 11, 2011.

On June 24, 2011, the USDOL informed the state that this waiver was approved and would be in effect until June 30, 2012.

POLICY

The LWIBs do not need additional approval to implement the waivers should the individual LWIB choose to implement. The LWIBs should consult and seek formal approval from the DLIR, or the WDC, for any other use of approved waivers that is not specified in this policy section.

PROCEDURES


A copy of the USDOL approval can be found as part of the overall state plan extension letter, page 5, sent on June 24, 2011 by Ms. Jane Oates, USDOL Assistant Secretary. This letter is cited as WIA Bulletin No. 04-11 SN 136 dated July 6, 2011. All exiters who are included in the reporting cohorts for the Credential Rate measure based on participation in an OJT, will be exempted from performance accountability when during the period of time this Waiver is in effect. Furthermore, in clarifying language from the USDOL, this waiver will cover these certain circumstances:

1. If a OJT program started prior to July 1, 2011 and was still active as of July 1, 2011 and end during PY 2011 (6/30/2012); and
2. New OJT programs that begin and end during PY 2011.

In the unlikely event that this waiver is not extended in PY 2012, please be advised that OJT programs that start during PY 2011 (between 7-1-2011 and 6-30-11) and exit in PY 2012 (after 7-1-2012) will not be covered by this waiver. For questions about participant eligibility, please contact Ms. Rae Ordinado, at the Workforce Development Division at (808) 586-9057.

INQUIRIES

Please contact Mr. James P. Hardway, Executive Director, at 808-586-8671 or by email at should you have any questions regarding this WIA waiver.



Dwight Takamine, Director

Enclosure

c: Roland Prieto, County of Maui
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